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Advocates for Workplace Fairness

April 22, 2021

**Via ECF**

Hon. Analisa Torres  
 United States District Judge  
 United States District Court  
 Southern District of New York  
 Daniel Patrick Moynihan Courthouse  
 500 Pearl Street  
 New York, New York 10007

Re: Soler v. Fresh Direct, LLC, No. 20 Civ. 3431 (AT) (BCM)

Dear Judge Torres:

I represent Plaintiffs in the above-referenced matter. I write, with Defendants' consent, to request a brief extension of the Court's Initial Pretrial Scheduling Conference, currently scheduled for Tuesday, April 27, 2021. *See* ECF No. 40. The parties have conferred, and are available for a rescheduled conference on Thursday, April 29, after 11:00 a.m., Friday, April 30, 2021, after 11:00 a.m., or at another time convenient to the Court.

Plaintiffs respectfully request this extension because I am planning to take the lead for Plaintiffs at the conference, but am currently scheduled to receive a second COVID-19 vaccination dose on the morning of April 27, 2021—the date of the conference. Both because of the timing of the shot, and because of the potential side effects associated with the shot, it seemed prudent to request a brief extension. This is Plaintiffs' first request to extend this deadline,<sup>1</sup> no other deadlines are impacted by an extension, and the request was made promptly the day after the Court rescheduled the hearing for April 27, 2021.

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<sup>1</sup> The parties requested previous adjournments of the Court's initial pretrial conference in light of their settlement discussions, *see* ECF No. 35, and most recently, the Court granted a one-day extension of their time to submit a case management plan and supporting documents, *see* ECF No. 37.

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We thank the Court for its attention in this matter.

Respectfully submitted,

*/s/ Christopher M. McNerney*

Christopher M. Mc너ney

cc: Parties of Record (via ECF)

GRANTED. The conference scheduled for April 27, 2021, is  
ADJOURNED to **April 29, 2021, at 11:20 a.m.**

SO ORDERED.

Dated: April 23, 2021  
New York, New York



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ANALISA TORRES  
United States District Judge